

# JASPER WEEKLY COURIER.

VOL. 17.

JASPER, INDIANA, FRIDAY, JUNE 18, 1875.

NO. 21.

PUBLISHED EVERY FRIDAY, AT JASPER,  
DEBORG COUNTY, INDIANA, BY  
**CLEMENT DOANE.**  
OFFICE.—IN COURIER BUILDING ON  
WEST MAIN STREET.

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For County " " 2.50  
For District, Circuit, or State, 5.00

**E. D. CROOKS,**  
**Physician & Surgeon**  
OFFICE.—South Side of the Public Square,  
JASPER, INDIANA.

Offers his professional services to the citizens  
of Dubois county.  
March 15th, 1875.—15

**UNION HOUSE!**  
DALE, INDIANA.

SEBASTIAN KOENIG respectfully informs the pub-  
lic that he is prepared to accommodate travelers  
and others in good style and on reasonable terms. His  
table is good, and his bar is supplied with all the best  
whiskies of liquor, and gentlemanly attendance.  
A share of patronage is solicited.  
March 15th, 1875.—15

**VERANDA HOTEL!**  
DALE, INDIANA.

**JOHN WAHL, - - Proprietor.**

THIS house is now fitted up in first class style for  
the accommodation of the traveling public, and  
the table will always be supplied with the best  
table d'hôte.  
He is an efficient stable and careful waiter in con-  
nection with the hotel.  
March 15th, 1875.—15

**W. H. PECKINPAUGH**  
**Attorney at Law,**  
JASPER, INDIANA.

Offers his professional services to the citizens of  
Dubois and adjoining Counties. Will practice  
in all the courts of the State, and the United States  
Courts.  
OFFICE.—On East Main Street, one block  
from the Public Square.  
April 7, 75.

**H. S. JOHN HARRIS,** **CLEMENT DOANE,**  
JASPER, INDIANA.

**BAKER & DOANE,**  
**Attorneys at Law.**

WILL practice in the Courts of Dubois county, and  
adjoining counties. Particular attention given to col-  
lecting. Office in the "Courier" building, West Main Street.  
CAPT. LEVI PRINCE, W. M. CAPEHART,  
JASPER, INDIANA.

**FERGUSON & CAPEHART,**  
**Attorneys at Law,**

WILL practice in all the Courts of Dubois, Pike  
and adjoining counties. Particular attention given to col-  
lecting. Office in the "Courier" building, West Main Street.  
CAPT. LEVI PRINCE, W. M. CAPEHART,  
JASPER, INDIANA.

**WILL A. TRAYLOR**  
**Attorney at Law,**  
JASPER, INDIANA.

WILL practice in the Courts of Dubois and adjoining  
counties. Particular attention given to col-  
lecting. Office one door East of the St. Charles' Hotel.  
June 24, 1874.—15

**BRUNO BUETTNER,**  
**ATTORNEY AT LAW,**

And Notary Public,  
JASPER, INDIANA.

WILL practice in all the Courts of Dubois and  
Perry counties, Indiana.  
Jan 9, 1874.

**Cheap! Cheap!**  
**Gaiters, Shoes and Boots!**  
**JUST RECEIVED.**

**HENRY LANDGREBE,** at his well known  
stand in Huntington, Ind. has just received a large  
selection of goods suitable for

**SPRING AND SUMMER WEAR**  
for Gentlemen, Ladies and Children, which he is going  
to sell below the market price, and invites an examina-  
tion. For Cash Customers he will deduct

**Deduct Ten Per Cent**  
Without any ceremony. Come and be convinced be-  
fore purchasing elsewhere.

**HIGHEST CASH PRICE PAID FOR HIDES.**  
**HENRY LANDGREBE.**  
Huntington, March 20th, 1875.

**Opinion of Attorney-General Bus-  
kirk on the Power of Towns to  
Collect a License Fee under  
Section Six of the New Liquor  
Law.**

From the Princeton Democrat.  
A. P. Twiss, Esq., Attorney at Law.

DEAR SIR: Your letter of the 26th  
inst., with inclosure of copy of a resolution  
on the part of the Board of Trust-  
ees of Princeton, was received this  
morning:

The title of the new liquor law en-  
acted last winter, is as follows:

"An Act to regulate and license the  
sale of spirituous, vinous, malt and other  
intoxicating liquors, to limit the license  
fee to be charged by cities and towns;  
prescribing penalties for intoxication,  
and providing for the recovery of dam-  
ages for injuries growing out of unlaw-  
ful sales of intoxicating liquors; to re-  
peal all former laws regulating the sale  
of intoxicating liquors, and all laws  
and parts of laws coming in conflict  
with the provisions of this act, prescrib-  
ing penalties for the violation thereof,  
and declaring an emergency."

Section six (6) of the Act reads as fol-  
lows:

"No City or incorporated Town shall  
charge any person who may obtain a li-  
cense under the provisions of this act,  
more than the following sums for li-  
cense to sell within their corporate lim-  
its:—Cities and incorporated towns may  
charge one hundred dollars, in addition  
to the sum provided for herein before.

An act approved March 11, 1867, pur-  
ported to amend the seventh clause of  
Section 22, of the act for the incorpora-  
tion of towns, so that a Board of Trust-  
ees could impose a license upon the  
sale of intoxicating liquors. But this  
amendatory act was declared to be un-  
constitutional by the Supreme Court be-  
cause of a technical defect in its form;  
and it was decided that a town could  
not charge a license for the sale of in-  
toxicating liquor, because there was no  
statute conferring such a power.

See The Town of Martinsville vs.  
Frieze, 33 Ind. 567; The Town of Prince-  
ton vs. Vierling, 40 Ind. 340, these cases  
do not question the power of the Legis-  
lature to confer upon municipal corpora-  
tion the privilege of exacting licenses  
for the sale of liquors; and that the  
Legislature has the power to enact such  
a statute, there can be no doubt.

I am of the opinion, although not en-  
tirely free from doubts, that the sixth  
section of the Liquor Law of March 17,  
1875, quoted above, confers upon the  
Board of Trustees of an incorporated  
town the power to exact a license not  
exceeding one hundred dollars from any  
person selling intoxicating liquors  
within the corporate limits of the town,  
by virtue of a license under said act.  
It is true that the first sentence in the  
section is negative in its terms; that the  
entire section seems to have been drafted  
under a misconception as to the ex-  
isting law upon the subject of towns  
charging licenses for sales of intoxicat-  
ing liquors, and is very incomplete and  
unsatisfactory. But upon a careful ex-  
amination of its language I am satisfied  
that it confers upon towns affirmatively  
the power to exact licenses as above  
stated. And the title, I regard as suffi-  
cient.

Your second question is:  
"Can such license be exacted from all  
persons engaged in the business of sell-  
ing intoxicating liquors within the town,  
or from such persons only as hold li-  
censes under the State liquor law of  
1875?"

A town has no power to impose a li-  
cense upon the sale of intoxicating li-  
quors, except as that power is conferred  
by statute, the sixth section above quoted,  
plainly confers such power only as  
to those selling by virtue of a license  
under the State liquor law of 1875.

Your third question is:  
"Does such town possess the power to  
enforce an ordinance requiring the pay-  
ment of such license fee, by providing  
for the infliction of a pecuniary fine upon  
persons violating such ordinance?"

There can be no doubt that a town  
could maintain a civil action for the  
amount of a license required by its or-  
dinance, not exceeding one hundred  
dollars, against a person selling intoxi-  
cating liquors within its corporate lim-  
its, under a license from the State.

Section thirty-three of the Act for the  
incorporation of towns, etc., approved  
June 11, 1852, provided as follows:

"Such Board of Trustees shall have  
power to enact fines, penalties and for-  
feitures for violations of this act; or of  
any by-law or ordinance by them estab-  
lished, not exceeding ten dollars for any  
offense, which may be recovered by  
action in the name of the corporation;  
but such Board may remit the whole or  
any part of the fine, penalty or forfeit-  
ure; Provided, that the fine assessed for  
the violation of any ordinance requiring  
a license shall not be less than the  
amount required to be paid for such li-  
cense, although it may exceed the sum  
of ten dollars."

It will be noticed that this section of  
the act of 1852, confers the power upon  
Boards of Trustees of incorporated  
towns to exact fines, penalties and for-

feitures for any violation of said act of  
1852, and for any violation of "any by-  
law or ordinance established by that  
board." The language which I have  
quoted applies I think to any by-law or  
ordinance established by a Board of  
Trustees under the laws of the State  
and is not restricted to said act of 1852.  
The language "for any violation of this  
act" is limited to the act of 1852, but the  
language which follows, "or any by-law  
or ordinance by them established" is  
not so limited but is general in its mean-  
ing and applies to all by-laws and or-  
dinances which are enacted by a Board  
of Town Trustees in conformity with  
the law.

I am of the opinion therefore that the  
Board of Trustees of an incorporated  
town possesses the power to enact an  
ordinance under the 33d section of the  
act of 1852, and the 6th section of the  
act of March 17th, 1875, quoted supra.

Of course you understand that my  
opinion upon questions like these is ad-  
visory merely, being my opinion as a  
lawyer, and not binding upon the courts  
of their interpretation in the law.

Very respectfully, etc.,  
**C. A. BUSKIRK,**  
Attorney General.

For the Jasper Courier.

**A New Subdivision.**  
CROSS ROADS, BOONE TWP., IND.  
June 14th, 1875.

MR. EDITOR:—While nearly every  
portion of this county is represented in  
the columns of your welcome paper  
Cross Roads has been passed unnoticed.

Perhaps for the benefit of your in-  
telligent readers we had better locate this  
beautiful and new territory: Bounded  
on the North by White river; on the  
East by Birch creek; on the South by  
the section line directly South of Mr. C.  
Horton's estate, and on the West by the  
County line. This small territory is  
noted for the richness of its soil and the  
luxuriant growth of its vegetation.

Few communities in this county are  
better blessed with facilities for attend-  
ing religious services.

Bro. B. preached quite a lengthy, and  
we hope an interesting discourse at the  
Miley School house yesterday evening.

Parson B. thinks Rev. Galloway too  
highly educated for this community!  
Perhaps he is for narrow contracted  
minds. As for one the writer considers  
that Shiloh church is blessed while she  
secures the ministerial labors of as an  
efficient pastor as Rev. Galloway.

Rev. G. delivered a discourse from  
the theme, "God is Love," at Leamon's  
Church, which we think excels any  
thing we ever heard.

PHINEAS.  
For the Jasper Courier.

**CELESTINE ITEMS.**

June 14th, 1875.

MR. EDITOR:—Since our last report to  
the Courier we have been having some  
joyful times.

—Peace and prosperity prevails in our  
midst.

—We return our sincere thanks to the  
Celestine Brass Band and its teacher, for  
a grand serenade on last Tuesday night.  
May its members live long to enjoy life  
and discourse sweet music to a mas-  
sive-loving populace.

—I believe arrangements are being  
made to have a grand picnic and cele-  
bration on the 6th of July at this place.  
May we have such a celebration as Hall  
township never before witnessed.

—We notice Capt. Buchart's teams  
bringing in saw-logs daily. He is mak-  
ing a vast amount of lumber.

—Wm. Striggle's horse, that was so  
badly injured during the storm, is re-  
covering.

—At a recent school meeting our  
school was divided into two sections, so  
both the old and new school houses will  
be occupied during the Fall and Winter  
seasons, thus relieving Wm. Alles of  
some of his arduous duties.

—Supervisor Karlan has been at work  
on our roads and streets recently. Bet-  
ter traveling now.

—Yesterday we attended a singing  
and basket dinner at Shiloh church, near  
this place on the New Albany road.  
We must say that it was one of the finest  
social gatherings that we have attended  
for a long time. A large and respecta-  
ble crowd assembled at an early hour in  
the morning, and the singing class, un-  
der the leadership of Prof. Lankford,  
did its duty nobly until 12 o'clock, when  
the Celestine band put in an appearance  
and enlivened the occasion with its  
splendid music. At 1 o'clock the table  
linens were spread upon the grass in the  
green grove and an abundance of the  
choicest viands and delicacies served.  
All honor to the noble ladies of that  
community for the rich feast! All  
seemed joy, happiness and friendship.  
The people seemed to enjoy themselves,  
and as for your correspondent, he more  
than enjoyed himself.

ARGUS.

For the Jasper Courier.  
**JERUSALEM SQUIBS.**

MR. EDITOR:—Nothing of extraordi-  
nary importance to communicate ex-  
cepting farmers are toiling very hard to  
clean out their corn fields, and to set all  
things in order pertaining to their avoca-  
tion.

—Grass is thought to be better this  
year in this community than it has been  
for many years.

—Wheat in the last few days has  
grown splendidly, and farmers are pro-  
curing machines for the harvesting of  
their grain.

—Christian Roetker while attending  
to the saw of a circular saw mill the  
other day got tangled and was brought  
close enough to the saw, while it was in  
full motion, to almost sever both of his  
arms from his body. This was a serious  
accident, and it is believed will make a  
cripple of him for life.

—Daniel S. Kemp and John Phillips  
are preparing to start on Monday next  
to places unknown. We wish them  
good success, and will do anything rea-  
sonable to speed them on their way.

—We have one farm in Jerusalem so  
poor that it would have to be manured  
to make brick.

—No sickness here except chills, and  
they are defeated by one dose of Barker's  
Ragical Tragical Four-horse Compound  
Remedy.

—The U. B. denomination of this place  
are erecting a temple of worship near  
the southern portion of Jerusalem. This  
will be a handsome building when com-  
pleted and give quite a new appearance  
to the face of things at this place.

—We received a communication from  
a Spencer county lady last week, in-  
forming us that if we did not put in a  
better attendance the county line would  
be the point of separation. We are  
very grateful to the lady for her infor-  
mation, for this we intended to do without  
any notification whatever.

—Claybourn Pearson is among us  
visiting old friends and relation. Clay  
looks splendid and some of our girls  
are lamenting his departure.

—We think by the way a certain  
young gentleman visits the residence on  
the Hill that he is becoming very much  
attracted, and e'er long will take her to  
his thumping heart.

—E. Millington has been superseded  
in his office by a gentleman from Troy,  
Indiana.

—The following passionate little  
rhyme was written and dropped in a  
bye path by a dashing maid of this place.  
As it is of a peculiar nature we will  
send it as an item:

Dearest pet, can I forget  
The day that we first met?  
So if you'll be true I will too,  
Then we will unite our aims in one,  
And sing love sweet has just begun.  
CLARIE BEND.

For the Jasper Courier.  
**TOPEKA ITEMS.**

—Topeka seems to be in considerable  
excitement about the items in the Cour-  
ier lately.

—The Campbell got its temper raised  
when it heard of the items, but soon got  
over it, so there was no damage done so  
far as we have heard.

—Dave says he don't care what they  
say about him, but he declares himself  
the luckiest man that ever undertook to  
tame a Campbell.

—Our Supervisor says the people of  
Topeka always did try to make fun of  
him, but he says he will let them know  
what he can write.

—While talking with Dan the other  
day I asked him why he did not go with  
Miss — any more, and his reply was  
that he did not like a cary plow when  
there was any other in the market.

—Laura says she can't account for  
Charley's sudden flight. So walk up  
Charley and don't be so backward.

—John is to be seen coming down the  
Winslow road every two weeks regular-  
ly to see his "pet." We suppose John  
means business.

—Debby says the Doctor has not been  
tending up very close lately. We sup-  
pose the Doctor has other notions in his  
head.

—The boys of Topeka have all played  
out going to see the Otwell girls except  
Jimmy Payne. Jim must have some  
guess notions of late.

—E. says she feels disheartened to  
think that all the girls have beaux but  
herself, so I will advise her to look for-  
ward, there is a better day coming.

LILA DARREL.  
Topeka, June 12th, 1875.

For the Jasper Courier.  
**SILVER MINE ITEMS.**

June 12th, 1875.

DEAR EDITOR:—I thought a few lines  
from here might be of some interest to  
your many readers.

—Farmers are pretty well through  
planting corn in this vicinity.

—Our energetic Supervisor has been  
working the roads and tearing up things  
generally.

—Everything is quiet in lovely Kan-  
sas except we are troubled exceedingly  
with a tremendous large rat that is  
continually committing depredations  
on some one's corn crib or meat house,  
and also gets into people's meal barrels;  
he also greedily devours fence rails; it  
is supposed he uses them to roast his  
meat, parch his corn and bake his bread.  
Said rat is of an enormous size. I small  
says he will weigh somewhere in the  
neighborhood of 155 and 160 pounds,  
and carries off a whole middling of meat  
without stopping to rest or look back.  
Said rat's den is supposed to be some-  
where in the neighborhood of section  
one. The neighbors are in fear, mightily  
in fear of said rat getting in trouble, as  
corn is scarce and meat is hard to get  
hold of. Some says there is a place for  
such rats to live and learn a trade.

P. B. & W. S.  
[From the Princeton Democrat.]

—The Corporation of Princeton, tax-  
es saloon keepers a license fee of \$100.

Who CAN BEAT IT.—Old "Barr Robb,"  
of White River township, sheared 25  
Cotswold ewes, this Spring, that aver-  
aged over eight pounds per head. He  
desires to hear from some "scrub sheep"  
raisers.

RAIL ROAD ELECTIONS.—The elections  
held in Columbia and Barton townships,  
this county Monday last, on the propo-  
sition to vote a tax in aid of the Evans-  
ville, Washington and Chicago Railroad,  
resulted in a majority of 182 votes in  
Columbia, and of 14 votes in Barton, in  
favor of the Railroad tax levy.

Can We Afford It?

The New York Tribune puts the case  
strong in the following words:

Will the reader have the goodness in  
some leisure hour to sit down and think  
over the Canal funds, the Credit Mobil-  
ier, the Jayne and Sanborn business,  
the Pacific Mail subsidy, the doings of  
the Indian Ring, and the leprosy re-  
cently brought to light in the Customs  
service and Internal Revenue office, and  
then answer the question at the head of  
this article? It is said that the Treas-  
ury has lost a million by the silk smug-  
glers, and two or three millions by the  
Whisky Ring, and that these losses have  
accrued within twelve or eighteen  
months. But every one who has watch-  
ed the course of things knows that the  
origin of this corruption dates far back,  
that the dark abyss has been explored  
only a little way, and that the loss of  
revenue is to be measured not by mil-  
lions, but by tens of millions. We look  
at these events as matters very different  
from simple losses of money or property.  
A disastrous fire like that at Chicago or  
Boston does its work and the nation  
soon recovers, but the things we have  
mentioned are moral conflagrations,  
they blacken the good name of our  
country and threaten to shiver the very  
foundation stones of our free institu-  
tions. They cause foreigners to point  
the finger of scorn at our Republic, and  
make the gravest and wisest of our citi-  
zens tremble when they look towards  
the future.

Pay of Township Assessors.

The attorney general has received a  
number of letters in regard to the pay  
of township assessors, and answers them  
all as follows: "You request my opin-  
ion in respect to the pay of township  
assessors per day. By an amendatory  
act approved February 11, 1875, the leg-  
islature fixed the pay of township assess-  
ors at \$2 per day. The act has an  
emergency clause, and also a clause re-  
pealing all former laws and parts of  
laws inconsistent therewith. The fee  
and salary bill fixes the pay of township  
assessors at \$2 50 per day, but has no  
emergency clause. It therefore is not  
yet in force for any purpose whatever,  
and the provisions of the act of Febru-  
ary 11, referred to above, must govern  
as to the matter about which you in-  
quire."—[Indianapolis Sentinel.]

—The first honors of the class of 1875,  
at the Asbury University, Greencastle,  
are won by a lady, Miss Flora Turman.  
A member of the faculty is authority  
for the statement that during the entire  
course in college Miss Turman has never  
been known to fail in recitation in  
any department, nor on examination.  
He also stated that such a record for  
scholarship had never been surpassed,  
scarcely equaled, in the history of As-  
bury. The surest evidence of her superi-  
ority in scholarship is, that everything  
has been mastered in the classics with-  
out the aid of translations. She has  
scorned the use of "ponies," it having  
been a "hobby" with her to justly merit  
what she was striving to win—first  
honors.